

SETTLEMENT AGREEMENT

This agreement made and entered into between the Executive Branch Ethics Commission (hereinafter the "Commission") and Basil Turbyfill.

WHEREAS, this agreement involves the matter styled *Executive Branch Ethics Commission v. Basil Turbyfill*, Case No. 07-108.

WHEREAS, the Commission is designated by statute as the agency responsible for enforcing the Executive Branch Code of Ethics, KRS Chapter 11A;

WHEREAS, on June 4, 2007, the Commission alleged facts in an Initiating Order that Turbyfill violated the Executive Branch Code of Ethics at KRS 11A.020(1)(a), (b) and (d);

WHEREAS, Turbyfill was at all relevant times mentioned in the Initiating Order a "public servant" as defined in KRS 11A.010(9), and thus is subject to the Executive Branch Code of Ethics; and

WHEREAS, Turbyfill indicates his desire to resolve all issues in these actions by the execution of a Settlement Agreement.

NOW, THEREFORE, in settlement of the above allegations, the Commission and Turbyfill agree, pursuant to KRS 11A.100, as follows:

1. Turbyfill, while stating that he was not aware or knew that his actions were in violation of the provisions of KRS Chapter 11A, acknowledges that the factual allegations as set forth in Counts I through IV of the Commission's Initiating Order of June 1, 2007, if proven true at a hearing, are sufficient to result in a determination of a violation of the Executive Branch Code of Ethics at KRS 11A.020(1)(a), (b), and (d).

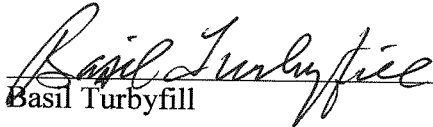
2. Turbyfill agrees to pay the Commission a civil penalty of \$1,500 within ten days from the date this settlement agreement is executed. The Agreement is executed when it is approved by a quorum of the Commission.

3. Turbyfill agrees that upon a Final Order being issued by the Commission that he waives all rights to any further administrative process pursuant to KRS 13B.140 thereon or any appeal.

4. The parties further agree that the acceptance of this Settlement Agreement by both parties, and the fulfillment of its express terms, is in full accord and satisfaction of the herein referenced *Executive Branch Ethics Commission v. Basil Turbyfill*, Case No. 07-108.

5. This Settlement Agreement constitutes a public reprimand to Basil Turbyfill, a copy of which will be provided to his former appointing authority pursuant to KRS 11A.100(3)(c).

IN WITNESS THEREOF, the parties have caused this agreement to be executed:

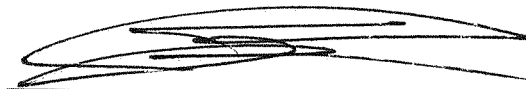

Basil Turbyfill

December 16, 2009
Date

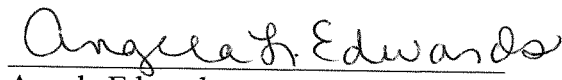
EXECUTIVE BRANCH ETHICS COMMISSION:


Chair, Gwendolyn Pinson


1/29/10
Date


Vice-Chair, Ronald L. Green

1/29/10
Date


Angela Edwards

1/29/10
Date


W. David Denton

Date

Vacant

Date